

DEREHAM TOWN COUNCIL

At a meeting for **Plans** at the Assembly Rooms on **Tuesday 14th January 2020** at **7.00pm**.

Present: Councillors H Clark (Chair), C Bunting, H Bushell, P Duigan, A Grey, K Grey, S Green, and P Morton.

Also Present: Town Clerk T Needham and Deputy Town Clerk J Barron, Town Council Officer G Drew and District Councillor A Webb.

1. **To receive apologies for absence.**
Apologies were received from Councillors L Monument, T Monument, A Brooks and H King.

2. **Declaration of Interest**
There were no declarations of interest.

3. **19/096/1502/F** **51 Windmill Avenue**
Proposed 3 Bungalows following outline planning permission 3PL/2018/1022/O. For Spalwell Property Limited.
Councillors discussed the access road and in the interest of protecting the amenity of those properties, want it to be realigned to the west side of the site, rather than adjacent to the existing. Due to the nature of the area, boundary fences of these properties should be made porous for hedgehogs and other wildlife. Part of the boundary of the site in the north west corner appears to be on The Common and the boundary of The Common should be surveyed. While they may have gained adverse possession of some of the common its status as a Common overrides any ownership.

- 19/097/1526/D** **Land East of Westfield Road**
Application for Reserved Matters for 100 dwellings, following Outline permission 3PL/2017/0563/O. For Persimmon Homes Ltd.
At the outline stage it was agreed a 20mph speed limit was to be introduced on Westfield Road and School Lane, Councillors now feel that a greater priority would be to resolve parking issues at the Shipdham Road junction with Westfield Road, particularly close to the care home and to put in place parking restrictions. Councillors would like to see more trees planted on the site and solar panels on each property.

- 19/098/1516/O** **Land off the B1147 Etling Green**
 Residential Development for 75 Dwellings – with details of Access Only. For Spaceward Ltd.
 Dereham Town Council strongly object to this application on the grounds that it is outside Breckland’s planning policy, is unacceptable intrusion into the open countryside and would have an adverse impact on the setting of Etling Green. Concerns were also raised with regard to drainage and access to the highway.
 The Committee requested that the Clerk submit detailed comments detailing the above.
- 19/099/1537/A** **1 Market Place Dereham**
19/100/1535/LB Replacement of 1 existing ATM sign with 1 new external ATM Sign. For HSBC Corporate Real Estate.
 No Objection, No Comments.
- 19/101/1549/F** **Ex Splitz/Auroura Borealis Nightclub 37B Quebec Street**
 Change of use of previous night club, with extension, to 8 flats (re-submission following approval of scheme for 4 units – 3PL/2018/0688/F. For R J Crane & Co. Limited.
 Councillors strongly objected, they considered this to be completely unsuitable for 8 units and for this to remain as 4 units.
- 19/102/1556/F** **Dev site Fruehauf – South Green**
 Detailed planning permission for residential development (39 Units) comprising affordable housing together with all associated infrastructure and access. For Partner Construction Limited.
 Councillors are supportive of this application, The Town Council accepts that this site will be better by the acceptance of a commuted sum in lieu of on-site provision for an outdoor playing space.
 (on reviewing the details of the application after the meeting, the Clerk identified issues with the flood risk assessment for the application and submitted additional comments which are attached).
- 19/103/1579/F** **Rookery Farm Barns Etling Green**
 Single storey dwelling with attached garage. To include removal of hedge segment to allow access from road. For Worstead Land & Developments.
 Councillors strongly objected, this is outside the settlement boundary contrary to policy GEN05 and not in keeping with the area.

19/104/1591/A

9a Market Place

Fascia Signs Height 0.66 x 5.2 x 0.1. For Minors and Brady.

No Objection, No Comments.

4. For Information, notification of planning decisions and comments from Breckland District Council

Planning Permission

19/091/1362/HOU 24 Quebec Road

19/088/1352/HOU Collyng Etling Green

Planning Refused

19/090/1331/HOU 129 Shipdham Road, Toftwood

18/045/0222/F Land Rear Ohana House Dereham

Chairman

Additional Comments from the Town Clerk in regards to 19/098/1516/O – Land of the B1147 Etling Green

The development is absolutely not in keeping with the surrounding area, it over dominates the existing settlement of Etling Green rather than being sympathetic to it. The proposed development site lies within the medieval common-edge settlement of Etling Green. Etling Green is a dispersed common-edge settlements which were a characteristic feature of the Norfolk landscape and are understood to have their origins in the 11th to 13th centuries, this example survives largely intact in the modern landscape. The Council feels that it is imperative that any development in this area is sympathetic to this historic environment the development, as proposed, is definitely not sympathetic and will destroy the unique setting of Etling Green. It is felt that the proposal constitutes an unacceptable intrusion into the open countryside the layout and design is more akin to an edge of town or town centre estate rather than an historic rural hamlet. This design and layout does not relate well to the existing community of Etling Green.

Policy GEN 05 –this proposal is some considerable distance from the defined settlement boundary and is therefore situated in open countryside, GEN05 states that development outside defined settlement boundaries in the open countryside should be restricted in order to protect the intrinsic beauty of the countryside.

Policy HOU5 Etling Green being rural hamlet, HOU 05 may apply, in this context the application does not constitute sensitive infilling or rounding off, it is not of an appropriate scale to complement the existing hamlet, nor does it enhance (in any way) the historic nature of the area. As already noted Etling Green is a unique edge of common settlement and should be protected. This development will cause considerable harm to the historic setting of Etling Green.

The Dereham Transport Study, adopted as evidence for the Local Plan, identified that all developments in Dereham would have an impact on the Tavern Lane Junctions, this application should therefore have produced a Transport Assessment so that its impact on the Dereham transport network can be properly understood.

Other concerns are that:

- The access point to the highway frequently floods and may be unsafe for this reason.
- There is no watercourse to drain the site and limited opportunity to attenuate surface water on site, this could lead to flooding nearby.
- This is in excess of the Local Plan housing allocation which means that the sewage capacity in Dereham may not be able to accommodate the additional flows.

Additional Comments from the Town Clerk in regards to 19/102/1556/F - Dev site Fruehauf – South Green

Flooding.

This area has a history of flooding, the recorded flood events presented in the report do not include those events from the 2016 Dereham flooding event. Para 7.3.1 of the Flood Risk Assessment states that the LLFA “have confirmed that that there are no local records for property specific flooding within this area”. When you read the actual response from the LLFA it states that due to GDPR regulations “ we are unable to provide any property specific information in relation to your enquiry”.

This makes the statement in para 7.3.1 extremely misleading as it suggests that there are no property specific flooding in this area and this is definitely not the case. As already stated this area has a history of flooding.

The Flood Risk assessment has clearly not had any regard to the NCC flood Risk investigation from July 2013 which detailed this area or NCC’s flood investigation from 2018 detailing the 2016 Dereham Flooding. Both documents are available on the NCC web-site and in correspondence the LLFA, the LLFA directed the author of the Flood Risk Assessment to the web-site. <https://www.norfolk.gov.uk/rubbish-recycling-and-planning/flood-and-water-management/flood-investigations>

I would draw your attention to NCC’s Flood Investigation 2013 paragraph 7.1.1 – recommendation 1 - (in relation to this specific site) *“Breckland Council could lead and support the identification of potential mitigation measures for the flood risk experienced by properties on Yaxham Road. This could include attenuation of surface water on adjacent land. An example of this support could be that any future development in the area could include provision of the acceptance of surface water from the south Green development that currently outfalls into the ditch”*.

The Flood Risk Assessment provided by the applicant does not appear to have any regard to the history of flooding in the area or any regard to the two detailed reports prepared by NCC into flooding in this area and flooding in Dereham in general.

It is therefore felt that the Flood Risk Assessment for this application is inadequate and should be resubmitted having full regard to the facts and the extent of the historical flooding in this area.

Provision of Outdoor Playing Space.

The Town Council accepts that this site will be better served by the acceptance of a commuted sum in lieu of on-site provision for out outdoor playing space. According to the breakdown of houses, it is calculated that this site should provide the equivalent of 2,163 sqm of outdoor playing space. Outdoor playing space is defined as space which laid out for play or sport and has play or sport as its primary purpose.

The applicant suggests that the provision of 200sqm of ‘open space’ in the form of a attenuation basin should count towards the provision of “open space”. Outdoor Playing space is required under ENV04 not general Open Space. This area is

labelled as SUDs on the plan, it is not known how frequently the area will receive water and how long it will be before any water drains away. - the applicant has not therefore demonstrated that this area has play as its primary purpose. I am attaching reports compiled by experts in their field on behalf of the town council which details the factors which need to be taken into consideration when incorporating SUDs as part of a children's play area. Much more detail needs to be provided before it is accepted that this area is acceptable as a children's play area.

The last time an off-site commuted sum, in lieu of on-site playing space provision, was calculated in Dereham the rate came out at £100 per sqm. Assuming that the 200 sqm of SUDs is not suitable for play (no evidence has been provided to demonstrate that it is) the required off-site commuted sum would be in the order of £216,300.

Can you please confirm that this figure for commuted sum is agreed with the applicant.